



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
TOM OGNIBENE, *et al.*,

Plaintiffs,

-against-

FREDERICK A. O. SCHWARTZ, JR., *et al.*,

Defendants.  
-----X

**STIPULATION AND  
ORDER OF  
SUBSTITUTION**

08 CV 1335 (LTS) (TDK)

**WHEREAS** plaintiff sued defendant Frederick A. O. Schwartz, Jr., exclusively in his official capacity as Chairman of the New York City Campaign Finance Board; and

**WHEREAS** Joseph P. Parkes, S.J., succeeded defendant Frederick A. O. Schwarz, Jr., in that position on April 8, 2008;

IT IS HEREBY STIPULATED, AGREED AND ORDERED that, pursuant to Rule 25 of the Federal Rules of Civil Procedure, Joseph P. Parkes, S.J., is and shall be automatically substituted for defendant Frederick A. O. Schwartz, Jr., and shall be deemed to have been similarly sued in his official capacity only.

Dated: New York, New York  
July 31, 2008

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By: James Bopp, Jr.  
James Bopp, Jr.

By: Jonathan Pines  
Jonathan Pines  
Assistant Corporation Counsel

The Clerk of Court is requested to modify the case caption accordingly.

SO ORDERED:

8/11/08  
Date

[Signature]  
U.S.D.J.